

## **REMARKS**

### **I. Status Summary**

Claims 1, 2 and 4-12 are all the claims pending in the application. Applicant amends claims 1, 2, 4, 7 and 9, and adds claim 12. Applicant cancels claim 3 by way of this Amendment. No new matter is added.

Applicant thanks the Examiner for acknowledging Applicant's claim to foreign priority and indicating receipt of the certified copy of the Priority Document.

The Examiner has returned the initialed Form PTO/SB/08 filed with the Information Disclosure Statement on July 14, 2006.

The Examiner has not indicated any objection to the drawing figures filed on July 14, 2006.

### **II. Specification**

The Examiner objects to the disclosure for lacking section headings. Applicant submits herewith a Substitute Specification in order to remove any ambiguities.

### **III. Claim Rejections - § 112**

Claims 1-11 are rejected under 35 U.S.C. § 112, second paragraph, as being indefinite. Applicant amends the claims to overcome these rejections.

### **IV. Claim Rejections - § 102(b) and 103(a)**

Claims 1-5 and 8-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by VanBrocklin (US 5,108,013).

Claims 1-4, 6, 7 and 9-11 are rejected under 35 U.S.C. § 102(b) as being anticipated by Tada (US 3,897,006).

Claims 1-5 and 9-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over de Pous (US 6,672,488) in view of Dutt (US 4,461,393).

Claims 1-5 and 8-11 are rejected under 35 U.S.C. § 103(a) as being unpatentable over Durliat et al. (US 6,053,371) in view of Dutt.

A. Claim 1

Applicant amends claim 1 to clarify that radial flange (45) is radially flat after assembly. The flattened radial flange is in contact with both the fastener element and the neck of the reservoir. That is, the radial flange is initially curved upwards before assembly, but flattened upon assembly with the neck and fastener element. This feature is supported by originally filed claim 3, Figures 1-3, and page 5, line 16 to page 6, line 38.

Thus, the same element that is curved upwards before and radially flat after assembly. This feature guarantees sealing because it is able to adapt to different configurations and dimensions for the neck of the reservoir (page 5, lines 16-28). The prior art fails to teach or suggest this structure and capability, whether taken alone or in combination. That is, none of the cited prior art teaches or suggests having a deformable radial flange that is initially curved upwards, and upon assembly becomes flattened in the manner of the claimed invention.

In VanBrocklin, there is no part which is curved before assembly, and becomes flat after assembly.

Furthermore, in VanBrocklin, there is no radially flat element which after assembly is in contact with both the fastener element and the neck. Sealing collar 18 is made such that the

flange 104 which is in contact with the reservoir's neck 113 is not at the same time in contact with the fastener element.

In view of the foregoing, amended claim 1 is thus not anticipated by VanBrocklin.

Turning to the rejection based on Tada, there is no such upwardly curved element that becomes flat after assembly and is simultaneously in contact with the reservoir's neck and the fastener element.

In Tada, seal member 18 has a flange 19 provided with a ring like groove 20 in its upper surface. Even if one were to consider that this is an upwardly curved radial flange, after assembly the flange 19 is not flat. Rather, groove 20 remains after assembly, as seen in Figures 1 and 2.

In view of the foregoing, amended claim 1 is not anticipated by Tada.

Turning to the obviousness rejections, De Pous discloses a classical flat neck gasket, and not a turret as claimed.

Dutt discloses an annular sealing member 22 which comprises a base portion 30 from which two transversely spaced sealing flanges 32, 34 extend (see col. 2, line 68 to col. 3, line 3). Thus, the sealing flanges 32, 34 define a downwardly curved portion, and not an upwardly curved portion, as claimed. Furthermore, after assembly, the sealing flanges 32, 34 are not radially flat.

Thus, even if one were to combine de Pous with Dutt, a person of ordinary skill in the art would not have arrived at the claimed invention according to claim 1.

Turning to Durliat, the sealing with the reservoir's neck is provided by flange 36, which is flat both before and after assembly.

Thus, even if one of ordinary skill in the art were to combine Durliat with Dutt, a person of ordinary skill in the art would not have arrived at the claimed invention according to claim 1.

B. Claim 10

Amended claim 10 is patentable for similar reasons to claim 1. In particular, there is no teaching or suggestion for providing a deformable radial flange which is curved upwardly before assembly, but has a deformed flattened shape when assembled. Moreover, claim 10 includes the projections which extend upwardly in the same direction as the curved shape of the flange, and the feature of the multiple sealing zones that are created by the combination of the projections and radial flange that is flattened but maintains a little curve after assembly. As discussed at page 6, lines 23-38, and illustrated in Figure 2, the projections and curved shape of the radial flange 45 creates multiple sealing points with the fastener element 20, and a sealing point with the top edge of the neck 35. This guarantees sealing even in the case in which dimensions of the assembly would prohibit the radial flange from becoming completely flat upon assembly.

C. Dependent Claims

The remaining rejections are directed to the dependent claims. Applicant respectfully submits that these claims are patentable for at least the same reasons as claims 1-10, by virtue of their dependency therefrom.

**V. New Claim**

Applicant adds claim 12 to further define the invention. This claim is supported at page 6, line 1. Claim 12 is patentable for at least the same reasons discussed above regarding claim 1.

## **VI. Conclusion**

In view of the above, reconsideration and allowance of this application are now believed to be in order, and such actions are hereby solicited. If any points remain in issue which the Examiner feels may be best resolved through a personal or telephone interview, the Examiner is kindly requested to contact the undersigned at the telephone number listed below.

The USPTO is directed and authorized to charge all required fees, except for the Issue Fee and the Publication Fee, to Deposit Account No. 19-4880. Please also credit any overpayments to said Deposit Account.

Respectfully submitted,

/Ellen R. Smith/

SUGHRUE MION, PLLC  
Telephone: (202) 293-7060  
Facsimile: (202) 293-7860

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Ellen R. Smith  
Registration No. 43,042

WASHINGTON OFFICE

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CUSTOMER NUMBER

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